

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA

v.

BENJAMIN JENKINS

a/k/a "Rei," "Dani Domo," "Sluttyrose 123,"
"Heiwa7340," "Poetic Justice"**JUDGMENT IN A CRIMINAL CASE**

Case Number: 1:18-CR-00181-MLB

USM Number: 71666-019

Sarah M. Timmers and Sydney R. Strickland
Defendant's Attorneys**THE DEFENDANT:**

The defendant was found guilty by a jury on Counts 1 through 12 of the second superseding indictment.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Counts</u>
18 U.S.C. §§ 2251(a) and (e)	Production and Attempted Production of Child Pornography	August 31, 2016	1, 2, 4, 5, 7, 8, 9, 10, and 12
18 U.S.C. §§ 2252(a)(2) and (b)(1)	Distribution of Child Pornography	July 5, 2016	3, 6, and 11

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States Attorney of material changes in economic circumstances.

September 22, 2020

Date of Imposition of Judgment

MICHAEL L. BROWN

UNITED STATES DISTRICT JUDGE

September 22, 2020

Date

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IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a term of **THREE HUNDRED SIXTY (360) MONTHS** as to Counts 1, 2, 4, 5, 7, 8, 9, 10, and 12, to be served **CONCURRENTLY**, and **ONE HUNDRED TWENTY (120) MONTHS** as to Counts 3, 6, and 11, to be served **CONCURRENTLY** to one another but **CONSECUTIVELY** to Counts 1, 2, 4, 5, 7, 8, 9, 10, and 12, for a total sentence of **FOUR HUNDRED EIGHTY (480) MONTHS**.

The Court recommends that the defendant be placed at a facility to allow the defendant to participate in (1) an intensive Dialectical Behavior Therapy (DBT) Program, (2) sex offender treatment, and (3) substance abuse treatment.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

DEPUTY UNITED STATES MARSHAL

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SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of **LIFE**.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. Restitution payments must be made to Clerk, U.S. District Court, Northern District of Georgia, 2211 U.S. Courthouse, 75 Ted Turner Dr. SW, Atlanta, GA 30303.
5. You must cooperate in the collection of DNA as directed by the probation officer.
6. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense.

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

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STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see Overview of Probation and Supervised Release Conditions, available at: www.uscourts.gov

I understand that a violation of any of these conditions of supervised release may result in modification, extension, or revocation of my term of supervision.

Defendant's Signature _____ Date _____

USPO's Signature _____ Date _____

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SPECIAL CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following special conditions of supervision.

1. You must not view or possess any “visual depiction” (as defined in 18 U.S.C. § 2256), including any photograph, film, video, picture, or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of “sexually explicit conduct” (as defined in 18 U.S.C. § 2256).
2. You must actively participate in a sex offense specific evaluation at a program approved by the U.S. Probation Office. The Court waives any costs associated with the evaluation.

You must participate in a sex offense specific treatment program and follow the rules and regulations of the program. The program must be approved by the U.S. Probation Office. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). The Court waives the costs of treatment.

You must participate in visual response testing as part of your required participation in a sex offense specific assessment and / or treatment. The Court waives any costs associated with the testing.

3. To monitor compliance with the conditions of supervision and treatment program requirements, you must submit to periodic polygraph examinations at the discretion of the probation officer. The examiner must be approved by the U.S. Probation Office. The Court waives any costs associated with the evaluation.

You must participate in a polygraph examination as part of your required participation in a sex offense specific evaluation. The Court waives any costs associated with the examination.

4. You must not possess children’s clothing, toys, and / or games, without the approval of your probation officer.
5. You will have no contact, whether directly in person or indirectly through any means of communication, with any child under the age of 18, not including your own child, nor with any person unable to give consent due to mental or emotional limitations unless you have permission from your probation officer. If you do have incidental contact with any child under the age of 18, including your own child, or with any person unable to give consent due to mental or emotional limitations, you shall immediately remove yourself from the situation. You must report any such contact to the probation officer within 24 hours and submit a written description of the incident to the probation officer within 72 hours.

You must not communicate, or otherwise interact, with any of your victim(s) either indirectly or directly, or through someone else, without first obtaining permission of the probation officer.

You must not date or marry anyone who has children under the age of 18 unless you have obtained permission from the probation officer.

You must not associate or correspond with any known sex offender except in an approved treatment program setting unless you have obtained permission from the probation officer.

6. You are prohibited from engaging in any occupation, business, profession, or volunteer work where you have access to children under the age of 18 without prior written approval from the probation officer.

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7. You must not patronize any adult entertainment establishments or adult toy / novelty shops.

You must not travel to or remain at any place where you know controlled substances are illegally sold, used, distributed, or administered without first obtaining the permission of the probation officer.

You must not travel to or remain at any place where you know children under the age of 18 are likely to congregate, including parks, schools, arcades, playgrounds, and childcare facilities without first obtaining the permission of the probation officer.

You must not travel to or remain at a place for the primary purpose of observing or contacting children under the age of 18.

8. You must disclose all locations where you receive mail to your probation officer.

You must disclose the location of any storage facilities and / or buildings to which you have access.

9. Pursuant to 18 U.S.C. §§ 3563(b)(23) or 3583(d)(3), and because you are a felon and required to register under the Sex Offender Registration and Notification Act, you must submit your person, and any property, house, residence, vehicle, papers, computer, other electronic communications or data storage devices or media, and effects to search at any time, with or without a warrant, by any law enforcement or probation officer with reasonable suspicion concerning a violation of a condition of supervised release or unlawful conduct, and by any probation officer in the lawful discharge of the officer's supervision functions.

10. You must not access the Internet except for reasons approved in advance by the probation officer.

11. You must cooperate with the U.S. Probation Office in the monitoring of any computer system, Internet capable devices, and / or similar electronic devices to which you have access. Cooperation includes, but is not limited to, identifying computer systems, Internet capable devices, and / or similar electronic devices (as defined in 18 U.S.C. § 1030(e)(1)) to which you have access and allowing the installation of monitoring software/hardware on said devices. You and/or your probation officer shall inform all parties that access a monitored computer or similar electronic device that the device is subject to search and monitoring. You may be limited to possessing only one personal Internet capable device to facilitate your probation officer's ability to effectively monitor your Internet related activities. You must not remove, tamper with, reverse engineer, or in any way circumvent installed software. You must provide passwords for said computer systems. The Court waives the costs of monitoring.

12. You must make full and complete disclosure of your finances and submit to an audit of your financial documents at the request of your probation officer. You must provide the probation officer with full and complete access to any requested financial information and authorize the release of any financial information. The probation office may share the financial information with the United States Attorney's Office.

You must not incur new credit charges or open additional lines of credit without the approval of the probation officer.

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CRIMINAL MONETARY PENALTIES

Payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are to be made payable to the Clerk, U.S. District Court, 2211 U.S. Courthouse, 75 Ted Turner Drive, SW, Atlanta, GA 30303. Any balance that remains unpaid at the commencement of the term of supervision shall commence within 60 days after release from imprisonment on the following terms: payable at a rate of no less than \$250 monthly to U.S. District Court Clerk. You must notify the Court of any changes in economic circumstances that might affect the ability to pay this financial penalty.

Special Assessment

\$1,200.00. The special assessment shall be paid to the United States immediately.

Fine

The Court waives the fine and cost of incarceration.

Restitution

The government is to provide any restitution information within 30 days; if needed, a restitution hearing will be scheduled.

JVTA Assessment

The Court waives the additional special assessment required under the Justice for Victims of Trafficking Act of 2015, 18 U.S.C. § 3014(a).